

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND MEETING**

January 5, 2010

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, January 5, 2010 at 7:00 p.m. in the Wethersfield Town Council Chambers located at Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

1. CALL TO ORDER

Chairman Hammer called the meeting to order at 7:01 p.m.

1.1 ROLL CALL & SEATING OF ALTERNATES (5 members required for a quorum)

Clerk Knecht called the roll as follows:

Member Name	Present	Absent	Excused
Joseph Hammer, Chairman	✓		
Richard Roberts, Vice Chairman	✓		
Philip Knecht, Clerk	✓		
Thomas Harley	✓		
Robert Jurasin	✓		
Frederick Petrelli	✓		
Earle Munroe	✓		
George Oickle	✓		
Anthony Homicki		✓	
James Hughes (alternate)	✓		
Thomas Dean (alternate)*	✓		
Dave Edwards (alternate)	✓		

*Commissioner Dean arrived shortly after the call of the roll.

Also present: Peter Gillespie, Town Planner; Denise Bradley, Assistant Planner;
Jeff Bridges, Town Manager.

Mayor Donna H. Hemmann and the following Town Council Members were present: Paul Montinieri, David L. Drake, Mike J. Hurley, Stathis Manousos and Jim McAlister.

Chairman Hammer noted that there were 8 full members and 2 alternates in attendance at the time of roll call. All members present to participate.

Members of the public were present.

2. OLD BUSINESS

There was no old business.

3. NEW BUSINESS

3.1 Discussion with Town Council regarding issues of mutual interest and concern.

Commissioner Hammer noted that the Town Council requested the opportunity to meet.

Mayor Donna Hemmann thanked the Commission for accommodating a discussion in its meeting's agenda. She indicated that the purpose for the Council and the Commission discussion was to open lines of communication, as was done with the Board of Education and its budget. She stated that the Council plans to have communications with other committees/commissions in Town.

She noted the Council's interest in learning of some quality of life issues that the Commission has dealt with wherein the Town Council has had difficulty with the enforcement of those issues. She also noted the necessity of a review of said issues for purposes of revisiting ordinances. As such, she reasoned that modifications to ordinances might be necessary for purposes of making the ordinances more up to date. She asked for Commission assistance in determining 5 or 6 issues that have been brought to the Commission consistently. She noted that the Council would then look at the corresponding ordinances for those issues, and, if necessary, changes would be made. At the same time, the Council will be looking at ordinances and other matters to maintain and create a business friendly environment. She noted that new software will assist the Town with building permit issuance while helping to achieve consistent and objective decisions in how business is conducted.

Some of the items identified by Mayor Hemman are:

- Commercial vehicles parked on residential property
- Parking of campers
- Snow shelf parking
- Overnight parking

Chairman Hammer also noted some other quality of life issues as:

- Signage
- Adult oriented businesses
- Parking allowing safe vehicle passage (i.e. areas where parking is a challenge when adverse weather strikes) – See comment on Page 5 as noted (*).

Chairman Hammer noted that some of the issues noted above have Council oversight and others have Commission oversight. He also noted that some issues could overlap, as oversight by Council and Commission may apply in some of the issues noted above.

Vice Chairman Hammer noted the necessity of ascertaining what matters are considered zoning issues (commercial vehicles, home businesses, signage) and what matters fall within the scope of town ordinance issues (blight, signage that remains posted long after the event has expired, unregistered vehicles, excessive noise). He noted that the issue of limiting the number of cars which can be parked on residential property has been an issue that neither the Commission nor the Town Council has ever been able to come to a successful resolution on. He believes that regardless of jurisdiction, a determination needs to be made as to whether regulation/ordinance enforcement is made by complaint, anonymous or otherwise, or by Town Staff at its own volition.

Commissioner Oickle noted that because a chief building official in a less densely populated Town than Wethersfield may have the role of being a chief enforcement officer as well. He reasoned that due to the population density of Wethersfield, an additional staff member such as a chief enforcement officer might be necessary to address matters as stated. He also noted that adult oriented businesses fall within

the scope of both ordinance and zoning. He believes that in order to face the challenges associated with such businesses, a comprehensive review of Town ordinances and zoning regulations is to occur. He stated that the Commission has revisited the issues associated with parking commercial vehicles on property and improvements to the regulations were made. He noted that the Commission may need to revisit the issue on an ongoing basis. He indicated that snow shelf parking issues may affect proper snow removal on streets. He also indicated that the noise ordinances need to be reviewed.

Chairman Hammer suggested that the zoning regulations indicate the necessity of a special permit by the Commission rather than an as-of-right commercial position in the review and regulation of businesses such as adult oriented businesses. He reasoned that the impact on the community (noise, traffic, etc.) and issues as to appropriateness need to be taken into consideration. He noted that language describing a boundary or separation from schools, libraries, etc. with regard to certain business types may currently exist by way of ordinance.

Chairman Hammer noted that a joint review with help of Staff may be the best way to continue the process.

Councilor Drake stated that successful economic development has two components:

1. Get businesses to come to Town;
2. Trying to get residents to move to Town. He indicated that neighborhoods have to be well kept. He noted that enforcement of regulations is critical in promoting good residential communities.

At this time, Councilor Drake believes that the Commission should identify the issues of enforcement so that the Council can look to achieve the enforcement of said issues.

Commissioner Oickle inquired of Council Drake if stronger enforcement is considered business friendly.

Councilor Drake noted that stronger enforcement of the quality of life issues mentioned is residential friendly. He explained that since the Town is predominantly residential, a way to attract responsible residents and maintain good neighborhoods is to enforce regulations and ordinances that affect the appearance of property.

Commissioner Jurasin believes that parking issues in residential areas and commercial areas pose different dilemmas. He noted that logic and proof necessitate commercial parking waivers in some cases.

Mayor Hemmann mentioned that the Town's Green Energy Committees are inquiring as to how fuel cell technology would affect zoning regulations and Town ordinances. She asked that the Commission be mindful of some projects in this regard that may soon arise.

Motion: Vice Chairman Roberts made a motion to take Agenda Item Number **7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING** out of order and move it under this current item number **3.1** Discussion with Town Council regarding issues of mutual interest and concern.

Second: Commissioner Munroe seconded the motion.

Aye: Hammer, Roberts, Knecht, Harley, Jurasin, Munroe, Petrelli, Oickle, Hughes, Dean, Edwards
Nay: None
Abs: None

Vote: 11 – 0

The following members of the public appeared before the Commission:

Ms. Linda Case, 103 Park Avenue, indicated that flagrant parking in residential areas of Town exists and provided two photographs as examples of unacceptable parking on Brown Street and Wolcott Hill Road. She noted that in many cases, parking is occurring at residential properties in areas everywhere besides the driveway. She expressed the desire of the Town disallowing the parking of vehicles, of any kind, on residential front lawns. She stated that the presence of multiple vehicles parked on the front lawn of a residence provides a slum like appearance for a neighborhood which in turn affects property values for all homeowners. She also mentioned the presence of multiple vehicles and chassis on a property that is adjacent to a vacant commercial property with beautiful, well-kept grounds, in northern gateway section of Town.

Commissioner Oickle inquired of Ms. Case if Town Staff have responded to her complaints.

Ms. Case noted that former Town Manager, Bonnie Therrien, indicated that the Town of West Hartford, for example, has regulations regarding the parking of any vehicles on front lawns, etc. She also noted that the regulations in West Hartford address issues such as how much of a paved surface can exist at the front of a residential property. She mentioned the awkwardness of complaining about residential parking violations when the violators are friends/neighbors and the necessity of the enforcement of this issue by the Town directly rather than its citizens. Ms. Case offered her assistance in the creation of a notification/brochure that could be sent to Town residents that would serve as a positive reminder of the importance of property upkeep relative to improper vehicle placement. Said notification/brochure would include an advisory to residents that the Town will commence enforcement of violations.

Mr. Robert Smart, 62 Church Street, noted that he concurred with much of Ms. Case's viewpoint. He mentioned the strong effort made by his wife regarding the upkeep of their residence. He indicated that his property has a shared driveway with his neighbor. He noted that at least 4 nights per year he has family, whom reside out of town, as overnight guests at his residence and parking of one car on the snow shelf occurs at that time. As such, he cautioned the Commission and the Town not to proceed too aggressively with changes to parking ordinances/regulations.

Mr. Lee Sekas, 117 Wells Road questioned the severity of initial enforcement and what the response time is to an issue regarding enforcement. He inquired if an enforcement plan is in place. He noted that fines, not fees, are optimal penalties for violations. He questioned as to whom in Town will enforce the violations. He cautioned that the process not be carried out as tough a police state existed. He mentioned that the Town has to do a better job with enforcing regulations/ordinances on businesses and residents pertaining to snow removal.

Commissioner Oickle made an inquiry as to sidewalk conditions.

Mr. Sekas indicated a preference to increase allocation of Town road improvement funds to sidewalks in Town. He noted that generally, the sidewalks on the Silas Deane Highway are good. He also noted residential sidewalks are the responsibility of the homeowner, and enforcement should be made where appropriate.

Mr. Phil Rouquie, 410 Church Street, was a resident of Hewitt Street for approximately 25 years and owned a couple of homes on that street. He indicated that he notified the Town regarding residential parking on the snow shelf at the apartment complex on Maple Street. He was informed by both the Town and the Police department that it was legal to park in that manner at that location. He stated that during the process of selling his Hewitt Street residence, potential buyers noted to him that the existence of the parking arrangement at the Maple Street apartment complex was unattractive. He noted that there should be a rule (ordinance) that there is no parking on the snow shelf because it is dangerous, it is an eyesore and that it lessens the value of property for all. He also noted that the police department could make exceptions where snow shelf or overnight parking could occur for a shorter duration due to house repair, overnight guests, etc.

Ms. Margaret Magestri, Bunce Road has a neighbor who placed some stone on the front lawn section of their home and parks their commercial vehicle truck and their car on their front lawn despite having a driveway. She is hopeful that a regulation or an ordinance is enacted to prevent similar parking situations.

Mr. John Williams, 189 Wolcott Hill Road noted that a traffic hazard exists for those exiting from side streets onto Nott Street when parking on the snow shelf is allowed on Nott Street. He is in favor of regulation or ordinance and the enforcement of same which would not allow said parking. He encouraged regulation or ordinance to be enacted soon to prevent the occurrence of an accident or tragedy. He believes that issues of blight have occurred in many parts of Town due to parking issues described at this meeting.

*Commissioner Hammer noted that within a few hundred yards of entering Garden Street at its intersection with Main Street, street side parking is allowed on both sides of the street. He indicated that especially during the winter, it is particularly difficult for traffic to pass on Garden Street. He questions if even a fire truck could pass in the instance noted.

Mr. Joseph Burke, 722 Prospect Street, indicated that forsythia bushes exist along the property of 2 or 3 families next to him. He noted that the shrubbery is not routinely cared for and it blocks the sidewalk. He stated that he complained to the Town Engineering Department, and the Town takes care of the sidewalk during the wintertime. He also noted that in the recent past, some of the shrubbery was cut down and some of the shrubbery remnants appeared on his property.

Commissioner Roberts noted that perhaps Mr. Gillespie and Mr. Bridges could meet and compare notes while discerning whether the aforementioned matters fall under Town Regulations, Town Ordinances, or both. They may also want to determine what regulatory environment exists for the matters in neighboring Towns. The information obtained can be provided to the Council and the Commission.

Commissioner Petrelli noted that a particular property appearance issue currently adversely affects his neighbors and him, as another neighbor has an abundance of poison ivy on its property. He noted that poison ivy concerns were formerly addressed by the Health Department. It is Commissioner Petrelli's

understanding that a requirement for abatement existed for property owners who had an abundance of poison ivy, as adverse health issues could arise when too much poison ivy is present. He noted that Town intervention with this issue and the issues of rotted tree removal are difficult to enforce. He believes the Town Council should address the issue by way of ordinance so that enforcement by the appropriate entity can occur.

Commissioner Knecht noted that the timing of the crosswalks on the Silas Deane Highway should be increased as a more user friendly mechanism for elderly citizens. He also noted that the bus shelters should be cleaned on a more routine basis.

Commissioner Oickle suggested that the Council keep in mind of what tenancy is optimal for multi-use zoning when the Town's Comprehensive Plan is reviewed in the near future.

Mayor Hemmann thanked the Commission and the public for the opportunity of engaging in a dialogue with the Council relative to some quality of life issues mentioned.

Chairman Hammer thanked the Council for the suggestion of the discussion. He mentioned that the Commission and the Council can look forward to working together to try to deal with the issues.

3.2 Mandatory Referral C.G.S. § 8-24 Review No. 20-09-MR – Clearwire – Request to review proposed modification of an existing telecommunications facility located at 250 Silas Deane Highway (Wethersfield Police Department).

Chairman Hammer reminded the Commission that the Town is considering leasing space on the communications tower, which is Town property. He explained that according to statutes, this review is heard before the Commission for an advisory report of whether the Commission supports or does not support the request. He further explained that if the request is not supported by the Commission, then the Council must approve the request by 6 votes rather than 5 votes.

Mr. Thomas Flynn, Site Development Manager for Maxim Communications of 1296 Blue Hills Avenue, Bloomfield, CT, appeared before the Commission on behalf of Clearwire. Clearwire is new carrier to the Connecticut wireless communications market. Clearwire is in the development phase of launching its new network. Clearwire is seeking permission to enter into a lease agreement with the Town to locate its antennas and bay station equipment at the existing telecommunications tower at 250 Silas Deane Highway (WPD). No increase in the height of the tower is requested. Clearwire's equipment would be located at the 107' level of the existing tower. Lease negotiations have not yet been completed with the Town and the process is ongoing. Mr. Flynn noted that Clearwire does not have any problems with comment numbers 1 through 12, as stated in the recommendations from Town Engineer, Michael Turner in his December 28, 2009 Memo to Peter Gillespie, Town Planner. Mr. Flynn stated that comment numbers 1-8 are typically completed in the normal course of business as part of the lease. In response to comment number 11, Mr. Flynn noted that Clearwire will be using its own ice bridge (a metal frame that runs from the pole and has all the pertinent Clearwire cable for installation which brings the cabling across and 8 feet off the ground). A 10'x10' lease area on a 7'x7' pad with a cabinet (about the size of a small refrigerator) would exist. In terms of item number 12, a final modification design has not yet been determined. He noted, however, the Clearwire is confident with URS as an engineering firm to assist in that determination.

Commissioner Oickle made an inquiry regarding the structural integrity of the Tower.

Mr. Flynn noted that an upgrade of the Tower is going to be required. He mentioned that structural integrity issues are mentioned in item numbers 1 and 12 of Michael Turner's December 28, 2009 Memo to Peter Gillespie, Town Planner. He also noted that typically, over time as carriers add their equipment to these towers, structural capacity declines until it gets to 100% or over. He stated that the combined proposed installation of Pocket Wireless and Clearwire will push the structural capacity over 100% and noted that a URS design to upgrade will come into play to conform to regulations. A design upgrade could include bolstering the bolts that hold the tower to the concrete pad. Another method may include putting in reinforcements to the lower sections of the existing tower. He noted that a number of things can be done concerning this issue that would warrant a discussion with URS and the Town Engineer. In terms of a lease and/or building permit, Clearwire would supply the Town with a final structural analysis signed and sealed by a professional engineer indicating the improvements/modifications would result in the structural capacity amount adding to less than 100%. Mr. Flynn indicated that Town Engineer, Michael Turner's comments in item number 1 of his December 28, 2009 Memo to Peter Gillespie, Town Planner, are applicable to the capacity issue.

Commissioner Oickle stated that he is in favor of this additional rental facility, as mentioned in the documentation. However, he noted his concern with the lack of a final structural analysis at this time. He also inquired as to who will be paying for the structural changes.

Mr. Gillespie stated that the Commission is charged with reviewing this matter conceptually. The details, including lease negotiations, would be worked out with Town Staff and/or Town Council.

Mr. Flynn noted that the two Applicants (Clearwire and Pocket Smart Wireless) will be sharing the cost of any improvements to the final design proposed. He also noted that any FCC licensee has to ensure, as a condition for their license, that there will be no interference with any other communication mechanism. He stated that Town approval process for the lease agreement will include inter-modulation studies to ensure no interference, and CSC (Connecticut Siting Council) approval is necessary for operation as well.

Commissioner Munroe inquired if additional equipment shelters are needed.

Mr. Flynn noted that a 7'x7' pad with one outdoor cabinet located on the ground will be needed.

Commissioner Jurasin made an inquiry regarding interference.

Town Engineer Michael Turner responded by noting that it is a requirement of the Town regarding co-location of a vendor on any of the Town owned towers that the vendor hire the Town's RF engineer (Trott Communications Group, Inc. of Irving, TX), at the vendor's expense, to complete a inter-modulation study to ensure that no interference will occur. In the event interference occurs, it is to be corrected.

Commissioner Knecht inquired and Mr. Turner concurred that when the installation is fully completed, no problems with police department and Town communications will occur.

Chairman Hammer inquired and Mr. Turner concurred that inclusion of the Applications proposed will bring the capacity of the Tower to under 100%.

Commissioner Edwards inquired and Mr. Turner responded that Verizon, Nextel and the Town Police Department telecommunications are currently located at the subject Tower.

Commissioner Oickle inquired and Mr. Turner indicated that with regard to adding the Applicants (Clearwire and Pocket Smart Wireless), there are no conflicts vertically or horizontally with the vendors and the Town communications that already exist on the Tower.

Commissioner Dean made an inquiry regarding FCC regulations in relation to electromagnetic fields, etc., and any damages to the Town or private parties resulting from telecommunications equipment located on Towers.

Mr. Flynn stated that the FCC has rules and requirements concerning human exposure to RF Radiation. A standard has been established that 100% of the permissible exposure for a person standing at the base of the Tower with all antennas pointed straight down at them (and not pointing outward, as the antennas normally would), with all channels open and all operating mechanisms at full power, the cumulative power density cannot exceed that 100%. He noted that the federal government has preempted damages, by way of the 1996 Telecommunications Act. As long as there is compliance with the FCC standard, the Applicants are exempt from regulatory control at the local level.

Chairman Hammer inquired if language could be incorporated into the lease agreement with the Town that would obligate the Applicants in the event of a structural or other issue (such as equipment weight load) that may arise in construction, or in the future, would be at the Applicants expense.

Mr. Flynn responded by stating that the last vendor on the Tower would incur expenses in those situations. He noted that insurance in this regard, as required, has been obtained.

Commissioner Edwards inquired as to who is inspecting the structural work.

Mr. Flynn noted that Town building code requirements/lease requirements note that a 3rd party inspection will be completed.

Commissioner Hughes described Michael Turner's December 28, 2009 Memo to Peter Gillespie, Town Planner, as comprehensive and thanked him for that effort. He inquired and Mr. Flynn concurred that it is not out of the ordinary for vendor telecommunications equipment to be located on fire department, police department or hospital communications towers. Commissioner Hughes noted that he is very comfortable with the proposal.

Commissioner Harley inquired as to the current level of maximum exposure to RF Radiation, and Mr. Flynn responded that with the proposal from both Applicants, the Town is at 40.7084% of permissible FCC exposure.

Commissioner Munroe quoted from the Detailed Structural Analysis and Evaluation of 120' Existing Monopole for New Antenna Arrangement 250 Silas Deane Highway, Wethersfield, CT prepared for Pocket Wireless, 2810 NW Loop 410, San Antonio, TX 06108 prepared by URS Corporation, 500

Enterprise Drive, Suite 3B, Rocky Hill, CT 06067 dated November 2, 2009 -- Section "5. Conclusions: The results of the analysis indicate that the tower structure does not have the capacity to support the proposed loading conditions. The tower and its foundation are NOT considered structurally adequate with the wind load classification specified above and all the existing and proposed antenna loading." He described the statement as negative and indicated that it should be properly addressed prior to any legal issues that may arise in the future.

Mr. Flynn stated that with the two proposed carriers on the Tower, the structural capacity will be exceeded. He reasoned that this is the reason why a modification to the plan (in conjunction with the Town Engineer) and a new structural report will be created. The new structural report will omit the above-mentioned language in question and state ultimately that when certain items are completed, then the structural capacity of the Tower with the proposed equipment will be less than 100%.

Vice Chairman Roberts inquired that upon conclusion of the analysis and a determination of what will then need to be done, would the Commission be reviewing a detailed site plan.

Mr. Gillespie noted that the initial referral is necessary so that the Council can enter into the lease process and that prior to building permit approval, the Commission would review a detailed site plan.

Motion: Vice Chairman Roberts made a motion to provide a positive referral to the Town Council regarding the mandatory referral, pursuant to C.G.S. § 8-24 Review No. 20-09-MR – Clearwire – Request to review proposed modification of an existing telecommunications facility located at 250 Silas Deane Highway (Wethersfield Police Department) subject to Clearwire's adequately addressing the issues/comments contained in the December 28, 2009 Memorandum from Michael J. Turner, Director of Public Works/Town Engineer to Peter Gillespie, Town Planner, and that a site plan will be submitted for Commission review prior to building permit issuance. It is also noted that the Applicant will complete the structural modification (reserve capacity), if necessary, and will absorb the costs associated with the modification.

Second: Commissioner Oickle seconded the motion.

Aye: Hammer, Roberts, Knecht, Harley, Jurasin, Munroe, Petrelli, Oickle, Hughes, Dean, Edwards
Nay: None
Abs: None

Vote: 11 – 0

3.3 Mandatory Referral C.G.S. § 8-24 Review No. 21-09-MR – Pocket Smart Wireless – Request to review proposed modification of an existing telecommunications facility located at 250 Silas Deane Highway (Wethersfield Police Department).

See Item 3.2 above, as Mr. Flynn appeared on behalf of both Clearwire and Pocket Smart Wireless.

Mr. Gillespie noted that the Applicant mentioned herein will lease a 6'x6' space located adjacent to the Clearwire installation. He stated that prior to issuance of a building permit, this matter would return to the Commission for review of a detailed site plan.

Motion: Vice Chairman Roberts made a motion to provide a positive referral to the Town Council

regarding the mandatory referral, pursuant to C.G.S. § 8-24 Review No. 21-09-MR – Pocket Smart Wireless – Request to review proposed modification of an existing telecommunications facility located at 250 Silas Deane Highway (Wethersfield Police Department) subject to Pocket Smart Wireless' adequately addressing the issues/comments contained in the December 28, 2009 Memorandum from Michael J. Turner, Director of Public Works/Town Engineer to Peter Gillespie, Town Planner, and that a site plan will be submitted for Commission review prior to building permit issuance. It is also noted that the Applicant will complete the structural modification (reserve capacity), if necessary, and will absorb the costs associated with the modification.

Second: Commissioner Oickle seconded the motion.

Aye: Hammer, Roberts, Knecht, Harley, Jurasin, Munroe, Petrelli, Oickle, Hughes, Dean, Edwards
Nay: None
Abs: None

Vote: 11 – 0

4. OTHER BUSINESS

4.1 Recommend Acceptance of Progress Drive.

Mr. Gillespie noted that for the 1989 subdivision, all requirements have been met. He noted that this is a first step in having this area become a Town road. He referred to the December 16, 2009 Memo to the PZC; Peter Gillespie, Town Planner; Jeff Bridges, Town Manager and Don Moisa, PW Inspector from Michael J. Turner, Director of Public Works/Town Engineer wherein a formal request for Progress Drive to be a town accepted street. He also mentioned the December 14, 2009 letter from the Town Attorney to Jeffrey Bridges, Town Manager that indicated all payments subject to the July 6, 2007 settlement agreement have been made. He indicated that sample resolutions would be sent to Town Council and notice to abutting neighbors would be made.

Michael Turner noted that sidewalks are not a requirement for Town acceptance of said street.

Commissioner Dean inquired as to the status of a previous position the Department of Transportation had which called for a traffic light at the intersection of Wells Road and Progress Drive.

Mr. Turner responded that the original plan for the property would have warranted the necessity of a traffic light. Instead, the Department of Transportation required that a wider lane for turning be completed.

Motion: Commissioner Oickle made a motion to provide a positive referral to the Town Council regarding the acceptance of Progress Drive and to waive the provision regarding the 10% maintenance bond associated with the property.

Second: Commissioner Roberts seconded the motion.

Aye: Hammer, Roberts, Knecht, Harley, Jurasin, Munroe, Petrelli, Oickle, Hughes, Dean, Edwards
Nay: None
Abs: None

Vote: 11 – 0

Positive referral to the Town Council with a recommendation that the 10% maintenance bond associated with the property be waived.

5. MINUTES – Minutes from the December 1, 2009 Meeting.

Chairman Hammer and Vice Chairman Roberts noted corrections to the Minutes. The Minutes will be revised accordingly.

Motion: Commissioner Harley motioned to approve the minutes with the suggested revisions.

Second: Vice Chairman Roberts seconded the motion.

Aye: Hammer, Roberts, Knecht, Harley, Jurasin, Petrelli, Munroe, Oickle, Hughes

Nay: None

Abs: Dean, Edwards

Vote: 9 – 0

Minutes approved as corrected.

Commissioner Dean and Commissioner Edwards abstained in the vote, as they were not present during the December 1, 2009 Meeting.

6. STAFF REPORTS

There were no items of correspondence discussed at the meeting.

7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING

8. CORRESPONDENCE

There were no items of correspondence discussed at the meeting.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS

9.1 Re-subdivision of Lot 3 Comstock Ferre Company, Church Street. Applicant: Pierre Bennerup.

10. ADJOURNMENT

Motion to adjourn at 9:00 PM – by Commissioner Jurasin.

Seconded – by Commissioner Roberts.

Vote: 9 – 0

Aye: Hammer, Roberts, Knecht, Harley, Jurasin, Petrelli, Munroe, Oickle, Hughes, Dean, Edwards

Nay: None

Abs: None

Meeting adjourned.

Respectfully submitted,

Ellen Goslicki, Recording Secretary